

General Government Cabinet

Board of Dentistry

(New Emergency Administrative Regulation)

201 KAR 8:550E Anesthesia and Sedation.

RELATES TO: KRS 313.035

STATUTORY AUTHORITY: KRS 313.035(1)

NECESSITY, FUNCTION AND CONFORMITY: KRS 313.035 (1) requires the board to promulgate administrative regulations related to conscious sedation and anesthesia permits.

This administrative regulation establishes requirements for permits to perform conscious sedation or anesthesia.

Section 1. Definitions.

(1) “Advanced Cardiac Life Support or ACLS” means a certification that an individual has successfully completed an advanced cardiac life support course that meets or exceeds the standards set by the American Heart Association incorporated by reference in 201 KAR 8:530.

(2) “Anesthesia” means an artificially induced insensibility to pain usually achieved by the administration of gases or drugs.

(3) “Anesthesia and sedation” means:

(a) Minimal sedation;

(b) Moderate sedation;

(c) Deep sedation; and

1 (d) General anesthesia.

2 (4) ASA I, II, III, and IV are classifications of patient physical status as determined by
3 The American Society of Anesthesiologists (ASA).

4 (5) “Board” means the Kentucky Board of Dentistry.

5 (6) “Certified registered nurse anesthetist” means a registered nurse who is currently
6 certified to practice nurse anesthesia in Kentucky.

7 ~~(7)~~ “Deep sedation” means a drug-induced depression of consciousness during which
8 patients cannot be easily aroused but respond purposefully following repeated or painful
9 stimulation. The ability to independently maintain ventilatory function may be impaired.
10 Cardiovascular function is usually maintained.

11 (8) Enteral means any technique of administration in which the agent is absorbed
12 through the gastrointestinal (GI) tract or oral mucosa (*i.e.*, oral, rectal, sublingual).

13 (9) “Facility” means any location in which anesthesia or sedation is administered for the
14 practice of dentistry.

15 (10) “Facility inspection” means an on-site inspection by the board or its designee to
16 determine if a facility where the applicant proposes to provide anesthesia and sedation is
17 adequately supplied, equipped, staffed, and maintained in a condition to support the
18 provision of anesthesia and sedation services in a manner that meets the requirements of
19 this administrative regulation.

20 (11) “General anesthesia” means a drug-induced loss of consciousness during which
21 patients are not arousable even by painful stimulation. The ability to independently
22 maintain ventilatory function is often impaired. Patients often require assistance in
23 maintaining a patent airway, and positive pressure ventilation may be required because of

1 depressed spontaneous ventilation, drug-induced depression, or changes in
2 neuromuscular function. Cardiovascular function may be impaired.

3 (12) “General anesthesia permit” means a permit that was issued by the board before the
4 effective date of this administrative regulation, that authorized the dentist to whom the
5 permit was issued to administer general anesthesia for the practice of dentistry.

6 (13) Incremental Dosing means administration of multiple doses of a drug until a desired
7 effect is reached.

8 (14) “Incident” means dental treatment performed on a patient under minimal sedation,
9 moderate sedation, deep sedation, or general anesthesia with unforeseen complications.

10 (15) Maximum Recommended Dose means the maximum FDA-recommended dose of a
11 Drug as printed in FDA approved labeling for unmonitored home use.

12 (16) “Minimal sedation” means a drug-induced state, with or without nitrous oxide to
13 decrease anxiety, in which patients respond normally to tactile stimulation and verbal
14 commands. Although cognitive function and coordination may be impaired, ventilatory
15 and cardiovascular functions are maintained and require no assistance.

16 (17) "Moderate enteral sedation" means a drug-induced depression of consciousness
17 through the gastrointestinal tract or oral mucosa during which patients respond
18 purposefully to verbal commands, either alone or accompanied by light tactile
19 stimulation. No interventions are required to maintain a patent airway, and spontaneous
20 ventilation is adequate. Cardiovascular function is usually maintained.

21 (18) "Moderate parenteral sedation" means a drug-induced depression of consciousness
22 that bypasses the gastrointestinal tract or oral mucosa during which patients respond
23 purposefully to verbal commands, either alone or accompanied by light tactile

1 stimulation. No interventions are required to maintain a patent airway and spontaneous
2 ventilation is adequate. Cardiovascular function is usually maintained.

3 (19) "Moderate sedation" means a drug-induced depression of consciousness during
4 which patients respond purposefully to verbal commands, either alone or accompanied by
5 light tactile stimulation. No interventions are required to maintain a patent airway, and
6 spontaneous ventilation is adequate. Cardiovascular function is usually maintained.

7 (20) "Parenteral" means a technique of administration in which the drug bypasses the
8 gastrointestinal tract, that is, through an intramuscular, intravenous, intranasal,
9 submucosal, subcutaneous, or intraosseous technique.

10 (21) "Conscious sedation permit" means a permit that was issued by the Board before the
11 effective date of this administrative regulation, that authorized the dentist to whom the
12 permit was issued to administer parenteral sedation for the practice of dentistry.

13 (22) "Pediatric Advanced Life Support (PALS)" means a certification that an individual
14 has successfully completed a pediatric advanced life support course that meets or exceeds
15 the standards set by the American Heart Association.

16 (23) "Physician" means a physician, including a doctor of osteopathy, who holds a
17 current license to practice medicine in Kentucky.

18 (24) "Sedation" means the reduction of stress or excitement by the administration of a
19 drug that has a soothing, calming, or tranquilizing effect.

20 Section 2. Minimal Sedation Without a Permit.

21 (1) A permit shall not be required for a dentist to administer minimal enteral sedation for
22 patients age thirteen (13) and older.

(2) A dentist who intends to administer minimal sedation shall indicate the intent to administer minimal sedation in the patient's record.

(3) Medication used to produce minimal sedation may not exceed the manufacturer's recommended dose (MRD) for unmonitored use by the individual. Additional dosing is permitted only if within the MRD limits.

(4) A dentist who administers minimal sedation shall maintain a margin of safety and a level of consciousness that does not approach moderate sedation and other deeper states of sedation and general anesthesia.

(5) Nitrous oxide may be combined with an oral medication only if the level of sedation is maintained at the level of minimal sedation.

Section 3. Permit and Location Certificate Required.

(1) After the effective date of this administrative regulation ~~July 15, 2010~~, a dentist shall not administer an anesthetic technique in order to attain a level beyond minimal sedation for the practice of dentistry unless:

(a) The dentist holds an appropriate Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation or Deep Sedation/General Anesthesia permit issued by the Board; or

(b) The dentist holds a conscious sedation or general anesthesia permit that will be converted to a Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, or Deep Sedation/General Anesthesia permit at the next license renewal.

(2) After the effective date of this administrative regulation ~~July 15, 2010~~, a dentist shall not administer an anesthetic technique under a Minimal Pediatric Sedation, Moderate

1 Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, or Deep
2 Sedation/General Anesthesia, conscious sedation, or general anesthesia permit issued by
3 the board at a facility unless:

4 (a) The facility has a current Anesthesia and Sedation Facility Certificate issued by the
5 board; or

6 (b) The facility passed an inspection by the board prior to the effective date of this
7 administrative regulation July 15, 2010 for the purpose of issuing a conscious sedation or
8 general anesthesia permit.

9 (3) After the effective date of this administrative regulation July 15, 2010, a treating
10 dentist who does not hold an anesthesia and sedation permit shall not allow a physician
11 anesthesiologist, another dentist who holds an anesthesia and sedation permit, or a
12 certified registered nurse anesthetist to administer an anesthetic technique in order to
13 attain a level beyond minimal sedation for the practice of dentistry at a facility owned or
14 operated by the treating dentist unless:

15 (a) The facility has a current Anesthesia and Sedation Facility Certificate issued by the
16 board; or

17 (b) The facility passed an inspection by the board prior to the effective date of this
18 administrative regulation July 15, 2010 for the purpose of issuing a conscious sedation
19 or general anesthesia permit.

20 Section 4. Classifications of Anesthesia and Sedation Permits. The following permits shall be
21 issued by the board to a licensed dentist:

22 (1) Minimal Pediatric Sedation permit that authorizes a dentist to use:

23 (a) Minimal Enteral Sedation for patients age five (5) to twelve (12)

(b) Medication(s) used to produce minimal sedation may not exceed the manufacturer's recommended dose (MRD) for unmonitored use by the individual. No incremental dosing is permitted. All dosing must be administered in the dental office.

(c) A dentist who administers minimal sedation shall maintain a margin of safety and a level of consciousness that does not approach moderate sedation and other deeper states of sedation and general anesthesia.

(d) Nitrous oxide may be combined with an oral medication only if the level of sedation is maintained at the level of minimal sedation.

(2) Moderate Enteral Sedation permit that authorizes a dentist to use moderate enteral sedation for patients age thirteen (13) and older;

(3) Moderate Parenteral Sedation permit that authorizes a dentist to use moderate parenteral sedation for patients age thirteen (13) and older;

(4) Moderate Pediatric Sedation permit that authorizes a dentist to use:

(a) Moderate sedation by any route of administration for patients age twelve (12) and under;

(5) Deep Sedation/General Anesthesia permit that authorizes a dentist to use:

(a) General anesthesia;

(b) Deep sedation.

Section 5. Qualifications for Obtaining a Minimal Pediatric Sedation Permit. To qualify for a Minimal Pediatric Sedation permit, an applicant shall:

(1) Submit an "Application for a Sedation or Anesthesia Permit";

(2) Pay the fee required by administrative regulation;

(3) Hold current certification in either ACLS or PALS or successfully complete a six (6) hour board-approved course that provides instruction on medical emergencies and airway management; and

(4) Provide proof of successful completion of a Commission on Dental Accreditation (CODA) accredited postdoctoral training program that affords comprehensive and appropriate training necessary to administer and manage minimal sedation; or

(5) Provide proof of successful completion of a board-approved course that shall consist of a minimum of twenty-four (24) hours of didactic instruction on pediatric minimal sedation by the enteral route or the combination enteral and nitrous oxide route.

Section 6. Qualifications for Obtaining a Moderate Enteral Sedation Permit. To qualify for a Moderate Enteral Sedation permit, an applicant shall:

(1) Submit an “Application for a Sedation or Anesthesia Permit”;

(2) Pay the fee required by administrative regulation;

(3) Hold current certification in either ACLS or PALS or successfully complete a six (6) hour board-approved course that provides instruction on medical emergencies and airway management; and

(4) Provide proof of successful completion of a Commission on Dental Accreditation (CODA) accredited postdoctoral training program that affords comprehensive and appropriate training necessary to administer and manage moderate ~~enteral~~ sedation; or

(5) Provide proof of successful completion of a board-approved course that shall consist of a minimum of twenty-four (24) hours of didactic instruction plus management of at least ten (10) adult case experiences by the enteral route or the combination enteral and nitrous oxide route.

(a) These ten cases shall include at least three (3) live (on-sight) clinical dental experiences managed by participants in groups that shall not exceed five individuals.

These three (3) live (on-sight) experiences may be obtained by observing a permit level dentist in their office; and

(b) The remaining cases may include simulations and video presentations and shall include at least one (1) experience in returning a patient from deep to moderate sedation.

Section 7. Qualifications for Obtaining a Moderate Parenteral Sedation Permit. To qualify for a Moderate Parenteral Sedation permit, an applicant shall:

(1) Submit an “Application for a Sedation or Anesthesia Permit”;

(2) Pay the fee required by administrative regulation;

(3) Hold current certification in either ACLS or PALS or successfully complete a six (6) hour board-approved course that provides instruction on medical emergencies and airway management; and

(4) Provide proof of successful completion of a CODA-accredited postdoctoral training program that affords comprehensive and appropriate training necessary to administer and manage moderate parenteral sedation; or

(5) Provide proof of successful completion of a board-approved course that shall consist of a minimum of sixty (60) hours of didactic instruction plus management of at least twenty (20) patients per course participant in moderate parenteral sedation techniques.

Section 8. Qualifications for Obtaining a Moderate Pediatric Sedation Permit. To qualify for a Moderate Pediatric Sedation permit, an applicant shall:

- (1) Submit an “Application for a Sedation or Anesthesia Permit”;
- (2) Pay the fee required by administrative regulation;
- (3) Hold current certification in either ACLS or PALS or successfully complete a six (6) hour board-approved course that provides instruction on medical emergencies and airway management; and
- (4) Provide proof of successful completion of a CODA-accredited postdoctoral training program that affords comprehensive and appropriate training necessary to administer and manage moderate sedation for patients age 12 and under.

Section 9. Qualifications for Obtaining a Deep Sedation/General Anesthesia Permit. To qualify for a Deep Sedation/General Anesthesia permit, an applicant shall:

- (1) Submit an “Application for a Sedation or Anesthesia Permit”;
- (2) Pay the fee required by administrative regulation;
- (3) Hold current certification in either ACLS or PALS; and
- (4) Provide proof of successful completion of a board-approved Accreditation Council for Graduate Medical Education (ACGME) accredited post-doctoral training program in anesthesiology which affords comprehensive and appropriate training necessary to administer deep sedation and general anesthesia; or
- (5) Provide proof of successful completion of a minimum of two (2) years advanced clinical training in anesthesiology from a Joint Commission on Accreditation of Healthcare Organization (JCAHO) accredited institution that meets the objectives set forth in Part Two (2) of the American Dental Association’s “Guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry”; or

(6) Provide proof of successful completion of a CODA-accredited postdoctoral training program that affords comprehensive and appropriate training necessary to administer and manage deep sedation and general anesthesia.

Section 10. Multiple application levels permitted. Dentists with education and training for more than one level of sedation may mark their levels of qualification on the “Application for a Sedation or Anesthesia Permit,” based on the guidelines in sections 4 – 7.

Section 11. Location Requirement. A dentist holding a Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, Deep Sedation/General Anesthesia, conscious sedation, or general anesthesia permit shall advise the Board of the name and address of each facility where the dentist intends to or has ceased to administer anesthesia and sedation by submitting the “Anesthesia and Sedation Permit Location Notification Form” within ten (10) business days of the change.

Section 12. Anesthesia and Sedation Facility Certificates.

(1) The owner or operator of a facility shall obtain an Anesthesia and Sedation Facility Certificate from the board for any location at which:

(a) A dentist holding a Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, Deep Sedation/General Anesthesia, conscious sedation, or general anesthesia permit may administer anesthesia and sedation under the permit; or

(b) The treating dentist may allow a physician anesthesiologist, another dentist who holds an anesthesia and sedation permit, or a certified registered nurse anesthetist to administer

1 an anesthetic technique in order to attain a level beyond minimal sedation for the practice
2 of dentistry.

3 (2) A facility owner or operator desiring to obtain an Anesthesia and Sedation Facility
4 Certificate shall:

5 (a) Submit an “Application for an Anesthesia and Sedation Facility Certificate”;

6 (b) Pay the fee required by administrative regulation; and

7 (c) Successfully pass a facility inspection as outlined in Section 10 of this administration.

8 (d) A dentist that is currently in an advanced training course for sedation may request the
9 Board of Dentistry complete a Sedation Facility Inspection prior to completion of the
10 course.

11 (3) The owner or operator of a facility may not permit an individual to administer
12 anesthesia or sedation unless the individual is qualified to do so under this administrative
13 regulation.

14 (4) The owner or operator of a facility shall maintain for five (5) years for inspection by
15 the board the name and license number of each dentist, physician anesthesiologist, or
16 certified registered nurse anesthetist who has administered anesthesia or sedation at that
17 location.

18 (5) The owner or operator of a facility shall ensure that the facility:

19 (a) Remains properly equipped in accordance with Section 10 of this administrative
20 regulation; and

21 (b) Remains properly staffed in accordance with Section 11 of this administrative
22 regulation.

(6) In addition to the requirements contained in Subsection (5) of this section, the owner or operator of a facility shall ensure that the facility has:

(a) Appropriate non-expired emergency drugs; and

(b) Appropriate non-expired drugs.

(6) After an opportunity for a hearing, the Board may take disciplinary action against a dentist under KRS xxx.xxx, if the Board finds that:

(a) The dentist violates any provisions of this chapter; or

(b) The facility is inadequate under the provisions of this chapter.

(7) Failure to comply with this chapter constitutes unprofessional conduct and may constitute other violations of law.

Section 13. Facility Inspection Criteria.

(1) To qualify for an Anesthesia and Sedation Facility Certificate, the facility shall pass an evaluation of facility equipment, medications, and clinical records to include at least the following:

(a) Oxygen and gas delivery system, backup system fail-safe;

(b) Gas storage facility;

(c) Safety indexed gas system;

(d) Suction and backup system;

(e) Auxiliary lighting system;

(f) Suitability of operating room to include:

1. Size, which must be at a minimum ten (10) feet by eight (8) feet or eighty (80) square feet;

2. Operating primary light source and secondary portable back-up source, unless back-up generator is available;
4. EMT accessibility;
- (g) Recovery area, including oxygen, suction, and visual and electronic monitoring, which may include the operating room;
- (h) Appropriate emergency drugs;
- (i) Non-expired drugs;
- (j) Appropriate devices to maintain an airway with positive pressure ventilation, (k) Preoperative medical history and physical evaluation form;
- (l) Anesthesia records, including monitoring and discharge records;
- (m) Monitoring equipment, including pulse oximeter and blood pressure monitoring;
- (n) Electrocardiogram (EKG):
 1. May be present for use by Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, and Moderate Pediatric Sedation permit holders for patients with significant cardiac history; and
 2. Shall be present for use by Deep Sedation/General Anesthesia permit holders.
- (o) Anesthesia and monitoring equipment to ensure they are in proper working order;
- (p) Defibrillator or automated external defibrillator (AED) for Deep Sedation/General Anesthesia permits on adult patients; and
- (q) For deep sedation or general anesthesia in pediatric patients:
 1. A precordial stethoscope; or
 2. A pretracheal stethoscope.
- (2) During a facility inspection, inspectors shall:

- (a) Examine the facility's equipment to determine if it is in proper working order;
- (b) Determine if appropriate emergency drugs are present; and
- (c) Determine if emergency drugs are non-expired.

Section 14. Inducing a Level of Sedation for a Patient.

(1) Administration of minimal pediatric sedation, moderate enteral sedation, moderate parenteral sedation, moderate pediatric sedation, deep sedation, or general anesthesia to a patient requires at least the following appropriately trained individuals:

- (a) The treating dentist;
- (b) An individual trained and competent in basic life support (BLS) or its equivalent to assist the treating dentist; and
- (c) Another individual trained and competent in BLS or its equivalent in close proximity to assist if needed.

(2) A dentist administering minimal pediatric sedation, moderate enteral sedation, moderate parenteral sedation, moderate pediatric sedation, deep sedation, or general anesthesia to a patient may not leave the site until the patient:

- (a) Is conscious;
- (b) Is spontaneously breathing;
- (c) Has stable vital signs;
- (d) Is ambulatory with assistance; and
- (e) Is under the care of a responsible adult.

(3) A treating dentist who allows a physician, another dentist, or certified registered nurse anesthetist to administer minimal pediatric sedation, moderate enteral sedation, moderate parenteral sedation, moderate pediatric sedation, deep sedation, or general anesthesia

1 under Sections 18 and 19 of this regulation shall ensure that the physician, dentist, or
2 certified registered nurse anesthetist does not leave the site until the patient:

3 (a) Is conscious;

4 (b) Is spontaneously breathing;

5 (c) Has stable vital signs;

6 (d) Is ambulatory with assistance; and

7 (e) Is under the care of a responsible adult.

8 Section 15. Conscious Sedation Permits and General Anesthesia permits in Existence ~~the~~
9 ~~effective date of this administrative regulation July 15, 2010.~~

10 (1) A dentist who holds a current general anesthesia permit on ~~the effective date of this~~
11 ~~administrative regulation July 15, 2010~~ may continue to administer anesthesia and
12 sedation consistent with a Deep Sedation/General Anesthesia permit until the expiration
13 date of the permit.

14 (2) A dentist who holds a current conscious sedation permit on ~~the effective date of this~~
15 ~~administrative regulation July 15, 2010~~ and meets the requirements of Section 6(4) of this
16 administrative regulation may continue to administer anesthesia and sedation consistent
17 with a Moderate Pediatric Sedation permit until the expiration date of the permit.

18 (3) A dentist who holds a current conscious sedation permit on ~~the effective date of this~~
19 ~~administrative regulation July 15, 2010~~ and meets the requirements of Section 5 of this
20 administrative regulation may continue to administer anesthesia and sedation consistent
21 with a Moderate Parenteral Sedation permit until the expiration date of the permit.

22 (4) During the license renewal process, current general anesthesia permit holders shall
23 convert the permit to a Deep Sedation/General Anesthesia permit.

(5) During the license renewal process, current conscious sedation permit holders shall convert the permit to a minimal pediatric sedation, moderate enteral sedation, moderate parenteral sedation, and/or moderate pediatric sedation permit.

~~(6) A dentist who holds a current conscious sedation or general anesthesia permit on July 15, 2010 shall comply with Sections 4, 8, 9, 11, 15, 16, 18, 19, and 20 of this administrative regulation.~~

(7) A dentist who currently practices enteral sedation without a permit on the effective date of this administrative regulation July 15, 2010 may continue without a permit until January 15, 2011 and may receive a Moderate Enteral Sedation permit by the submission of :

- (i) 24 hours of didactic education plus 20 sedation records documenting their experience and
- (ii) Satisfactory completion of an on-site inspection as outlined in Section 10 of this regulation.

Section 16. Issuance and Expiration of Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation and Deep Sedation/General Anesthesia Permits.

(1) Once an applicant has met the qualifications for obtaining a Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, or Deep Sedation/General Anesthesia permit the board shall:

- (a) Issue a permit in sequential numerical order; or
- (b) Deny the permit due to a violation of KRS Chapter XXX or the administrative regulations promulgated there under.

(2) Each permit issued under this administrative regulation shall expire on the same date as the permit holder's license to practice dentistry.

Section 17. Renewal of Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, and Deep Sedation/General Anesthesia Permits. An individual desiring renewal of an active Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, or Deep Sedation/General Anesthesia permit shall:

(1) Submit a completed and signed "Application for Renewal of a Sedation or Anesthesia Permit";

(2) Pay the fee required by administrative regulation; and

(3) Provide evidence satisfactory to the board that the applicant meets the continuing education requirements outlined in Section 15 of this administrative regulation.

Section 18. Continuing Education Requirements for Renewal of a Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation, or Deep Sedation/General Anesthesia Permit.

(1) An individual desiring renewal of an active Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, or Moderate Pediatric Sedation permit shall:

(a) Complete not less than six (6) hours of clinical continuing education related to sedation or anesthesia in a classroom setting that includes hands-on airway management during the two (2) year term of the permit; or

(b) Shall maintain ACLS or PALS certification.

(2) An individual desiring renewal of an active Deep Sedation/General Anesthesia permit shall:

(a) Complete not less than four (4) hours of on-sight clinical continuing education related to sedation or anesthesia during the two (2) year term of the permit; and

(b) Maintain ACLS or PALS certification.

(3) Continuing education required by this administrative regulation shall:

(a) Not be used to satisfy other continuing education requirements; and

(b) Be in addition to other continuing education requirements of 201 KAR x:xxx.

Section 19. Facilities Inspected Prior to July 25, 2010.

A facility owner or operator desiring to obtain an Anesthesia and Sedation Facility Certificate for a facility which passed an inspection by the board prior to July 15, 2010 shall provide acceptable proof to the board of having passed a facility inspection for the purpose of issuing a conscious sedation or general anesthesia.

Section 20. Issuance of an Anesthesia and Sedation Facility Certificate.

(1) Once an applicant has met the qualifications for obtaining an Anesthesia and Sedation Facility Certificate the board shall:

(a) Issue a certificate in sequential numerical order; or

(b) Deny the certificate due to a violation of KRS Chapter XXX or the administrative regulations promulgated there under.

Section 21. Administration by a Physician Anesthesiologist or Dentist at the Facility of a Treating Dentist.

(1) A treating dentist who desires to allow a physician anesthesiologist or another dentist who holds an anesthesia and sedation permit to administer anesthesia and sedation to a

1 patient at a specific practice location shall comply with Section 9 of this administrative
2 regulation.

3 (2) A physician anesthesiologist may administer anesthesia and sedation in accordance
4 with Section 4 of this administrative regulation without the need for review by the board.

5 Section 22. Administration by a Certified Registered Nurse Anesthetist.

6 (1) A treating dentist who wishes to allow a certified registered nurse anesthetist to
7 administer anesthesia and sedation to a patient at a specific practice location shall comply
8 with Section 9 of this administrative regulation.

9 -(3) Nothing under this section shall preclude a dentist from working with a certified
10 registered nurse anesthetist in an ambulatory care center or hospital.

11 Section 23. Morbidity and Mortality Incident Reports.

12 (1) A dentist shall report to the Board, in writing, any death caused by or resulting from
13 the dentist's administration of minimal sedation, moderate sedation, deep sedation, or
14 general anesthesia within seven (7) days after its occurrence.

15 (2) A dentist shall report to the Board, in writing, any incident that resulted in hospital in-
16 patient admission caused by or resulting from the dentist's administration of minimal
17 sedation, moderate sedation, deep sedation, or general anesthesia within thirty (30) days
18 after its occurrence.

19 (3) The written report to the Board required in Subsections (1) and (2) of this section
20 shall include:

- 21 (a) The date of the incident;
22 (b) The name, age, and address of the patient;
23 (c) The patient's original complete dental records;

(d) The name and license number of the licensee and the name and address of all other persons present during the incident;

(e) The address where the incident took place;

(f) The preoperative physical condition of the patient;

(g) The type of anesthesia and dosages of drugs administered to the patient;

(h) The techniques used in administering the drugs;

(i) Any adverse occurrence including:

1. The patient's signs and symptoms;

2. The treatment instituted in response to adverse occurrences;

3. The patient's response to the treatment; and

4. The patient's condition on termination of any procedures undertaken; and

(j) A narrative description of the incident including approximate times and evolution of symptoms.

(4) The duties outlined in this section apply to every dentist whether or not the dentist holds a permit.

Section 24. Registered Dental Assistant Duties permitted when working with Sedation Permit holders:

(1) A registered dental assistant working with Minimal Pediatric Sedation, Moderate Enteral Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation and Deep Sedation/General Anesthesia permit holders may, under indirect supervision:

(a) Apply noninvasive monitors.

(b) Perform continuous observation of patients and noninvasive monitors appropriate to the level of sedation, during the pre-operative, intra-operative and post-operative (recovery) phases of treatment.

1 (c) Report monitoring parameters to the operating dentist on a periodic basis and when changes
2 in monitored parameters occur.

3 (d) Record vital sign measurements in the sedation record.

4 (e) Remove IV lines (Moderate Parenteral Sedation, Moderate Pediatric Sedation and Deep
5 Sedation/General Anesthesia Permit holders only).

6 (2) A registered dental assistant working with Minimal Pediatric Sedation, Moderate Enteral
7 Sedation, Moderate Parenteral Sedation, Moderate Pediatric Sedation and Deep Sedation/General
8 Anesthesia Permit holders, may under direct supervision assist in the management of emergencies.

9 (3) A registered dental assistant working with Moderate Parenteral Sedation, Moderate Pediatric
10 Sedation and Deep Sedation/General Anesthesia Permit holders may, under direct supervision:

11 (a) Administer medications into an existing IV line upon the verbal order and direct supervision
12 of a dentist with a Moderate Parenteral Sedation, Moderate Pediatric or Deep
13 Sedation/General Anesthesia permit.

14 (b) Establish an IV line under indirect supervision if they have completed an eight hour course
15 approved by the Board of Dentistry in intravenous access.